

LIMITED SOURCES JUSTIFICATION

ORDER >\$3,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 652-16-1-157-0002

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source:

Manufacturer/Contractor: Toshiba America Medical Systems, Inc.

Manufacturer/Contractor POC & phone number: [REDACTED]

Mfgr/Contractor Address: 2441 Michelle Dr. Tustin, CA 92780-7047

Dealer/Rep address/phone number: None.

☒ The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs

Network Contracting Office

100 Emancipation Dr., Bldg. 27

Hampton, VA 23667

VISN:

6

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

This justification for other than full and open competition is prepared by the Department of Veterans Affairs Network Contracting Office 6 (NCO 6) on behalf of the Veterans Affairs Medical Center in Richmond, VA. The requirement is for an InTouch Partnership Agreement for the repair of Toshiba Aquilion 64 and Ailion One CT Scan equipment. A firm fixed price purchase order will be awarded on a sole source basis to Toshiba America Medical Systems with a period of performance of 10/1/2015 through 9/30/2016.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

One (1) year maintenance agreement supporting CT Scan equipment with serial numbers SID# [REDACTED] and SID# [REDACTED].

(b) ESTIMATED DOLLAR VALUE: \$(REDACTED)

(c) REQUIRED DELIVERY DATE: 10-01-2015

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.

☒ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

This request is for the service/support of current software/equipment used at the Hunter Holmes McGuire VAMC Radiology Department. Toshiba America Medical is the only responsible source with regard to the service and maintenance of the Aquilion 64 CT system. Toshiba America Medical does not train third party service companies, nor does it provide documentation, schematics or diagnostic software to third party vendors. The VA Veterans Health Administration has a procurement policy that prohibits the use of "gray market" items in VHA facilities. Gray market items include second sourced parts and remanufactured items in distribution channels unintended by the Original Equipment Manufacturer (OEM). The Defense Supply Center Philadelphia, in coordination with the VA VHA, administers a mandatory source contract for the maintenance of "High Tech Medical Equipment (HTME)". Under this program, Toshiba America Medical Systems was awarded contract number SPM2D1-09-D-8322/V797P-6033(b), which includes maintenance support for the Aquilion CT scan equipment. The Veterans Affairs Office of Acquisition and Logistics issued a delegation of authority for the procurement of the required services, on the HTME contract, with delegation number V797P-6033B-V044.

☐ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

HTME contract number SPM2D1-09-D-8322/V797P-6033(b) was negotiated prior to award by the National Acquisition Center and the Defense Logistics Agency. Orders against the contract represent the best value to the Government due to pre-negotiated pricing and reduced administrative costs.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

A sources sought was made available on FBO.gov on 8 July 2015. Six (6) responses were received and did not indicate any alternatives to a sole source award to Toshiba. Toshiba provided a response indicating that the AQ 64 CT scan equipment contains proprietary software and components, as well as a proprietary CT tube. The remaining five (5) responses were received from companies who were either not capable or not interested. The mandatory source vehicle awarded under the HTME program was subsequently identified.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

There are no additional facts to support the justification.

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

For future acquisitions of this maintenance service, market research will be conducted to determine if any additional authorized service providers have entered the market.

(9) REQUIREMENTS CERTIFICATION: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

<u>[REDACTED]</u>		<u></u>	
SIGNATURE		DATE	
<u>[REDACTED]</u>	<u>Chief Engineer</u>	<u>Biomedical Eng. Dept.</u>	
NAME	TITLE	SERVICE LINE/SECTION	
<u>Richmond VAMC</u>			
FACILITY			

(10) APPROVALS IN ACCORDANCE WITH FAR 8.405-6(d):

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

[REDACTED]
CONTRACTING OFFICER'S SIGNATURE

DATE

[REDACTED]
NAME AND TITLE

NCO/VISN 6
FACILITY